

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)
MERCK-2219

In re Application of Heider LILIA et al.

Application Number 09/821,683

Filed March 30, 2001

For ACTIVE POSITIVE-ELECTRODE MATERIAL IN
ELECTROCHEMICAL CELLS, AND PROCESS FOR THE
PRODUCTION OF THESE MATERIALS

Group Art Unit
1745

Examiner
Mark Ruthkosky

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☐ One month (37 CFR 1.17(a)(1)) \$ _____
- ☒ **Two months (37 CFR 1.17(a)(2))** **\$410.00**
- ☐ Three months (37 CFR 1.17(a)(3)) \$ _____
- ☐ Four months (37 CFR 1.17(a)(4)) \$ _____
- ☐ Five months (37 CFR 1.17(a)(5)) \$ _____

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.

☒ **A check in the amount of the fee is enclosed.**

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ **The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 13-3402.**

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ **attorney or agent of record.**

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

March 3, 2003

Date

Signature

James E. Ruland, Reg. No. 37,432

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 2 forms are submitted.

03/12/2003 HDEHES1 00000057 09821683

01 FC:1252

410.00 OP

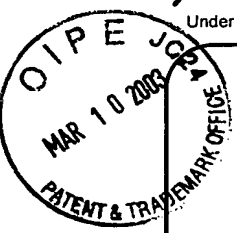
I hereby certify that this correspondence is being deposited with the U.S. Postal Services as First Class Mail in an envelope addressed to:
Assistant Commissioner For Patents
Washington, D.C. 20231 on: 3/8/2003
Name: Sharon McDaniel
Signature: Sharon McDaniel
Date: March 3, 2003

1745/17

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/821,683
Filing Date	March 30, 2001
First Named Inventor	Heider LILIA et al.
Examiner Name	Mark Ruthkosky
Group / Art Unit	1745
Attorney Docket No.	MERCK-2219

RECEIVED
MAR 13 2003
GROUP 1700

TOTAL AMOUNT OF PAYMENT (\$) 662

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																																															
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 13-3402</p> <p>Deposit Account Name: Millen, White, Zelano & Branigan, P.C.</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>					<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td>410</td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,300</td><td>242</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>130</td><td>1807</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3)</td> <td colspan="2">(\$) 410</td> </tr> </tbody> </table>					Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month	410	1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		142	1,300	242	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	130	1807	130	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____					*Reduced by Basic Filing Fee Paid					SUBTOTAL (3)		(\$) 410	
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																																
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																																
1053	130	1053	130	Non-English specification																																																																																																																																																																																																
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																																																																
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																																
1252	410	2252	205	Extension for reply within second month	410																																																																																																																																																																																															
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																																																
1254	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																																																
1255	1,970	2255	985	Extension for reply within fifth month																																																																																																																																																																																																
1401	320	2401	160	Notice of Appeal																																																																																																																																																																																																
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																																																
1403	280	2403	140	Request for oral hearing																																																																																																																																																																																																
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																																
1453	1,300	2453	650	Petition to revive - unintentional																																																																																																																																																																																																
142	1,300	242	650	Utility issue fee (or reissue)																																																																																																																																																																																																
1502	470	2502	235	Design issue fee																																																																																																																																																																																																
1503	630	2503	315	Plant issue fee																																																																																																																																																																																																
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																																
1807	130	1807	130	Petitions related to provisional applications																																																																																																																																																																																																
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																
1801	750	2801	375	Request for Continued Examination (RCE)																																																																																																																																																																																																
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																
Other fee (specify) _____																																																																																																																																																																																																				
*Reduced by Basic Filing Fee Paid					SUBTOTAL (3)		(\$) 410																																																																																																																																																																																													
<p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>					<p>1. BASIC FILING FEE</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>520</td><td>2003</td><td>260</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>750</td><td>2004</td><td>375</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="5">SUBTOTAL (1)</td><td>(\$) 0</td></tr> </tbody> </table>					Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1001	750	2001	375	Utility filing fee		1002	330	2002	165	Design filing fee		1003	520	2003	260	Plant filing fee		1004	750	2004	375	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1)					(\$) 0																																																																																																																																																	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																															
1001	750	2001	375	Utility filing fee																																																																																																																																																																																																
1002	330	2002	165	Design filing fee																																																																																																																																																																																																
1003	520	2003	260	Plant filing fee																																																																																																																																																																																																
1004	750	2004	375	Reissue filing fee																																																																																																																																																																																																
1005	160	2005	80	Provisional filing fee																																																																																																																																																																																																
SUBTOTAL (1)					(\$) 0																																																																																																																																																																																															
<p>2. EXTRA CLAIM FEES</p> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Independent Claims</th> <th>Multiple Dependent</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>17</td> <td>-20**</td> <td></td> <td>0</td> <td>18</td> <td>0</td> </tr> <tr> <td>6</td> <td>-3**</td> <td></td> <td>3</td> <td>84</td> <td>252</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td>0</td> </tr> </tbody> </table>					Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid	17	-20**		0	18	0	6	-3**		3	84	252						0	<table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="5">SUBTOTAL (2)</td><td>(\$) 252</td></tr> </tbody> </table>					Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)					(\$) 252																																																																																																																									
Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																															
17	-20**		0	18	0																																																																																																																																																																																															
6	-3**		3	84	252																																																																																																																																																																																															
					0																																																																																																																																																																																															
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																															
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																																																
1201	84	2201	42	Independent claims in excess of 3																																																																																																																																																																																																
1203	280	2203	140	Multiple dependent claim, if not paid																																																																																																																																																																																																
1204	84	2204	42	** Reissue independent claims over original patent																																																																																																																																																																																																
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																
SUBTOTAL (2)					(\$) 252																																																																																																																																																																																															

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	JAMES E. ROLAND	Registration No. Attorney/Agent	37,432	Telephone	703-243-6333
Signature				Date	March 3, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to:
Assistant Commissioner For Patents
Washington, D.C. 20531 on: 3/3/2003
Name: Sharon McDaniel
Signature: Sharon McDaniel
Date: March 3, 2003